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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

Porfirio Leon Guzman,	)	Case No. 1:21-cv-01039-JLT-BAM
Plaintiff,	)	STIPULATION AND
vs.	)	ORDER FOR EXTENSION OF
	)	TIME
Kilolo Kijakazi, Acting	)	
Commissioner of Social Security,	)	
Defendant.	)	

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from January 31, 2022 to April 1, 2022, for Plaintiff to serve on defendant with PLAINTIFF'S MOTION FOR SUMMARY JUDGEMENT. All other dates in the Court's Scheduling Order shall be extended accordingly.

1 This is Plaintiff's first request for an extension of time. Counsel has recently  
2 received a greater number of Answers and Certified Administrative Records from  
3 defendant in cases in this district, and the three other California Districts, each of  
4 which require settlement negotiations or merit briefing. Counsel has a greater than  
5 usual number of merit briefs due in January 2021. In the Eastern District of  
6 California, Counsel received 60 Certified Administrative Records for November  
7 2021 through December 2021.

8 As to merit briefs, for the weeks of January 24, 2022 and January 31, 2022,  
9 Counsel has 13 merit briefs, numerous reply briefs, and EAJA Motions. Counsel  
10 also has 17 administrative hearings before the Office of Hearing Operations for  
11 Social Security.

12 Due to Counsel's attempt to spread out the significant increase of briefs due  
13 for prior months, in the month of January 2022, Plaintiff's Counsel has well over  
14 34 merit briefs. And for February 2022, Plaintiff's Counsel has 19 merit briefs.

15 In addition, Counsel is responsible for reviewing Appeals Council ("AC")  
16 denials for possible filing in US District Court. Counsel has received an unusual  
17 and ever-increasing number of AC denials which require a review for possible  
18 filing in US District Court. The AC has also recently denied our extension  
19 requests at the administrative level to allow more time to review those files.  
20 Therefore, Counsel is unable to push out any of the AC denials which are dated  
21 within 65 days.

22 Lastly, Attorney Dolly M. Trompeter, an attorney with the firm Pena and  
23 Bromberg, PC is currently out of State tending to her ill father prompting the  
24 undersigned Counsel to take on additional matters on her behalf.

25 Due to the combination of the above issues, Counsel for Plaintiff has a larger  
26 than usual number of briefs due for the months of January 2022 and February  
27 2022.

1 Counsel for the Plaintiff does not intend to further delay this matter.  
2 Defendant does not oppose the requested extension. Counsel apologizes to the  
3 Defendant and Court for any inconvenience this may cause.

4  
5 Respectfully submitted,

6 Dated: January 18, 2022 PENA & BROMBERG, ATTORNEYS AT LAW

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8 By: /s/ Jonathan Omar Pena  
9 JONATHAN OMAR PENA  
10 Attorneys for Plaintiff  
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12  
13 Dated: January 18, 2022 PHILLIP A. TALBERT  
14 United States Attorney  
15 PETER K. THOMPSON  
16 Acting Regional Chief Counsel, Region IX  
17 Social Security Administration

18 By: \*/s/ Patrick Snyder  
19 Patrick Snyder  
20 Special Assistant United States Attorney  
21 Attorneys for Defendant  
22 (\*As authorized by email on January 18, 2022)  
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**ORDER**

Pursuant to the parties' stipulation, and good cause appearing, Plaintiff's request for an extension of time to file a Motion for Summary Judgment is GRANTED. Plaintiff shall file a Motion for Summary Judgment on or before April 1, 2022. All other dates in the Court's Scheduling Order are modified accordingly.

IT IS SO ORDERED.

Dated: January 19, 2022

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE